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Dated: April 25, 2003

Signature: *Daryl K. Jeff*

(Daryl K. Jeff)

Docket No.: TESSERA 3.0-159 DIV
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John W. Smith

Application No.: 09/942,363

Group Art Unit: 2826

Filed: August 29, 2001

Examiner: P. L. Greene

For MICROELECTRONIC ASSEMBLIES WITH
COMPOSITE CONDUCTIVE ELEMENTS

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Commissioner for Patents
Washington, DC 20231

Dear Sir:

This communication is in response to the Official Action mailed March 25, 2003, setting forth a Requirement For Election of Species in the above-identified application. In view of the remarks below, an action on the merits is respectfully requested.

In the Official Action, the Examiner required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner states that the application contains claims directed to five patentably distinct species, from which election is required:

Species I; Figures 1-3;

Species II; Figure 4;

Species III; Figure 5;

Species IV; Figure 6; and

Species V; Figure 7.

The Examiner further indicated that no claims are generic.

Applicant hereby elects for prosecution Species I.



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#9
Election
Y. Polymon
5/6/03

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Application No.: 09/942,363

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Claims 1-9 and 14 are readable on Species I.

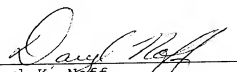
However, Applicant traverses the requirement for election of species for the following reasons. Claims 1-9 and 14 are generic to all of the Species I-V indicated by the Examiner, as these claims are broad enough to cover the embodiments disclosed in the respective Figures 1-7. In addition, the present application includes independent claim 1, from which claims 2-15 depend; independent claim 16, from which claims 17-19 depend; and independent claim 20, from which claims 21-24 depend. Therefore, since claim 1 is generic to all of claims 2-15, examination on the merits should proceed at least as to claims 1-15.

An action on the merits is now respectfully awaited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, the Examiner is invited to telephone the undersigned at 908-654-5000 so as to overcome any additional objections. In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: April 25, 2003

Respectfully submitted,

By


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